



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

**Date:** January 28, 2016

**To:** Conservation Commission

**From:** Michael Glidden CFM CZE, Assistant Town Planner

**Re:** Application #16-03 of BMG Management, LLC, Owner, for clearing and regrading the parking lot to install utilities and improve drainage on the property located at 560-566 Hopmeadow Street (Assessor's Map G12, Block 132, Lot 036). Zone B-1. (Received 01/19/2016; decision must be rendered by 03/24/2016).

## Parcel History and Wetlands Description

The subject property is located along the eastern side of Hopmeadow Street (Route 10) adjacent to the intersection of Pine Hill Drive and Hopmeadow. The applicant is seeking approval for the expansion of the existing parking lot behind the commercial building. The building houses 2 businesses (a restaurant and retail liquor store) and 2 residential apartments.

The existing parking area is partially paved (see attached aerial photograph). Portions which are not paved are either mixed aggregated and/or dirt. The existing parking area is not served by a formal drainage system. The areas sheet flow to the south and/or east with little or no treatment/retention of storm water occurring on the site.

The property contains inland wetland soils associated with a watercourse (see attached map). The wetland soils are classified as Walpole loam. These soils have a very fine texture and tend retain water/moisture during the spring months.

The site contains a very small area of inland wetland soils. These soils are part of a larger wetland complex which is to the east of the subject parcel. The applicant is not proposing any activities within the area which is designated/ mapped as wetland soils.

The Zoning Board of Appeals has granted variances for the parking lot expansion. Variances to the setbacks for parking locations and lot coverage standards were previously approved by the ZBA.

Should the Commission approve the application, the applicant next has to apply to the Zoning Commission for site amendment approval.

### **Staff Comments/Review**

Staff is recommending tabling the application for the next meeting. The application is missing several key elements in order for the Commission and staff to determine that there will not be any adverse effect to the adjacent inland wetland soils and/or watercourse.

I have outlined concerns of which the applicant fails to address:

- A drainage report has not been provided to clarify sizing and location for the proposed underground infiltration system.
- According to the narrative, soil testing was conducted at the site. Information such as soil data and/or test pit locations are not shown on the plans.
- The applicant should clarify why a high overflow is not provided for the proposed drainage system.
- The narrative and plans have a conflict as it relates to limits of clearing.
- Portions of the south parking lot are graded so sheet flow does not enter the storm water system. Can grading be revised so that sheet flows from the parking lot are directed into storm water system?
- Erosion and Sediment Control narrative fails to meet minimum standards outlined in CTDEP 2002 Erosion and Sediment Control Manual. Details such as total area of disturbance, features identified to be protected, along with duration of project should be included in narrative.
- Has the storm water management system been sized to handle paved surfaces within the parking area or has area of roofed structure been taken into account?
- The applicant received approval from the Conservation Commission for the removal of an underground storage tank. This work has not occurred. Is the applicant planning on removing the tank during the parking lot expansion/renovation?

From a Zoning perspective, the proposed building addition does not meet zoning setbacks. A variance is required for the addition. Also several internally lit signs have been placed in the window of the liquor store. These signs need to be removed. It was a condition of approval that internally lit signs were to be removed and abandoned when the applicant received approval for the exterior modifications to the building from both the Zoning Commission and Design Review Board.



# Town of Simsbury

Geographic Information System (GIS)



Date Printed: 1/28/2016



**MAP DISCLAIMER - NOTICE OF LIABILITY**  
This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Simsbury and its mapping contractors assume no legal responsibility for the information contained herein.

Approximate Scale: 1 inch = 50 feet







# Town of Simsbury

Office of Community Planning and Development - Inland Wetlands Permit Application

DATE: \_\_\_\_\_ FEE: \$ 510.00 CK #: 1073  
1074 APP #: 15-03  
PROPERTY ADDRESS: 560-566 HOPMEADOW ST.  
NAME OF APPLICANT: BMG MANAGEMENT, LLC  
MAILING ADDRESS: 562 HOPMEADOW ST. SIMSBURY, CT 06070  
EMAIL ADDRESS: bennydba@hotmail.com TELEPHONE # 860-883-9440  
NAME OF OWNER: Bm G MANAGEMENT, LLC  
MAILING ADDRESS: 562 HOPMEADOW ST. SIMSBURY, CT  
EMAIL ADDRESS: bennydba@hotmail.com TELEPHONE # 860-883-9440

NOTE: ATTACH A WRITTEN LETTER OF AGENCY, DULY ACKNOWLEDGED, TO ACT FOR THE OWNER, INCLUDING THE ABILITY TO CARRY OUT ACTIVITIES SET FORTH HEREIN.

DESCRIBE THE SPECIFIC ACTIVITY(ies) FOR WHICH A PERMIT IS SOUGHT AS IT RELATES TO "REGULATED ACTIVITIES" AS DEFINED IN SECTION 6 OF THE SIMSBURY INLAND WETLANDS REGULATIONS, SUCH AS: A) REMOVE MATERIAL FROM; B) DEPOSIT MATERIAL IN OR DISCHARGE TO; C) CONSTRUCT ON; D) OBSTRUCT; E) ALTER; F) POLLUTE; OR G) OTHERWISE ADVERSELY AFFECT A REGULATED AREA:  
CUT TREES & VEGETATION, STRIP TOPSOIL, REGRADE EXISTING PARKING LOT.  
INSTALL UTILITIES, DRAINAGE OUTLET ALONG WITH PAVEMENT BASE  
FOR PARKING LOT. STORM WATER OUTLET.

## CERTIFICATIONS AND PERMISSIONS:

As owner, I hereby give permission to the Town of Simsbury's Conservation Commission Inland Wetlands Watercourses Agency, their Agents, or Town Staff to enter upon my land to make observations and tests as may be necessary to evaluate this application and ongoing work, subject to twenty-four hours notice of such entry/testing.

I hereby certify that all statements herein are true to the best of my knowledge, whether made by me or my agents. Any permit issued shall be contingent upon field conditions and activities being substantiated as indicated herein. A changed situation shall require reconsideration of the permit by the Commission upon discovery by either party.

I certify that I have the authority to sign this application.

[Signature] 11-25-11 SAME  
Signature of Owner Date Signature and Title of Applicant Date

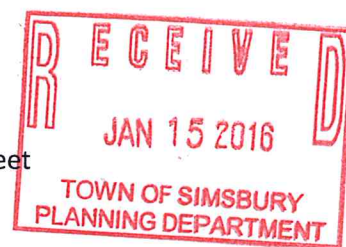
Telephone (860) 658-3245  
Facsimile (860) 658-3205

**EXHIBIT 1**

933 Hopmeadow Street  
Simsbury, CT 06070

Town of Simsbury

Inland Wetlands Permit Application – 560-566 Hopmeadow Street



**1. 100' Abutter List:**

- 553 Hopmeadow Street. Thomas A and Laura A Nigro 1 Ridgebury Road Avon, CT 06001
- 558 Hopmeadow Street. Jaymac LLC 558 Hopmeadow Street Simsbury, CT 06070
- 568 Hopmeadow Street. Chen and Gao Realty LLC 19 Vinning Drive Simsbury, CT 06070
- 563 Hopmeadow Street. BMS Holdings LLC 563 Hopmeadow Street Simsbury, CT 06070
- 570 Hopmeadow Street. Asian Relish LLC 570 Hopmeadow Street Simsbury, CT 06070
- 632 Hopmeadow Street. Simsbury Hopmeadow Street LLC C/O Dyno Nobel INC 2795 E Cottonwood PKWY Salt Lake City, UT 84121

**2. A. General site conditions, including vegetation and general soil conditions.**

The site is an existing restaurant and liquor store with residential units on the second floor. The site grading is a sloping from northwest to southeast with the surface water making its way down into an existing drainage ditch with an endwall that drains Hopmeadow Street. To the east are the rails to trails pathway. The site has trees and vegetation on the south and southeasterly corner with an existing parking lot to the rear of the building with additional parking in front of the building. Soils are generally sand and gravel.

**B. Size of wetland within site or distance of the activity from the wetland.**

The wetlands on site are 74 sq.ft. or 0.002 acres and we propose activity within 12 feet.

**C. Size of total contiguous wetland.**

Per the town of Simsbury the total is 5.5 acres with 0.10 acres west of the trail.

**D. Position relative to other wetlands on site.**

No other wetlands exist on the site.

**E. Type of wetland characterized by vegetative and soil type and/or watercourse, such as:**

Wetlands begin at an end wall and pipe installed to discharge storm water from Hopmeadow Street, the embankment is sandy soil with hardwood trees and ground cover.

**3. Depth to water table, depth to mottled soil, and seasonal variation of water table.** The soils tests conducted along the northerly property line showed the water table to be at 63" with mottles at 42".

**4. Describe the immediate impact on the wetlands and watercourses, including, but not limited to:**

- A. Quantities, by volume and area disturbed, of materials to be removed, deposited, or altered.** No work is planned in the wetlands.
- B. Kinds of materials by soil types and vegetative classifications, and materials classification to be removed, deposited, or altered.** none

**EXHIBIT 2**



C. **Percent of wetlands/watercourses disturbed or altered to total area of wetlands/watercourses on the parcel.** None will be disturbed; there are 74 sq. ft. of wetlands on the property.

5. **Describe the related construction activities and their impact.**

- A. **Area and location of wetlands and watercourses.** There are 74 sq. ft. of wetlands on the southerly property line of the site.
- B. **Types and amounts of vegetation.** The area abutting and in the wetlands is sloping down to a head wall and drainage with a mixture of 18"+ mature hard wood trees, smaller scrub trees and ground cover.
- C. **Surface and groundwater.** The surface water entering the wetlands comes from the road, parking lot, wooded area uphill of the wetlands and from the drainage system along Hopmeadow Street.
- D. **Visual impacts.** Some vegetation removal is necessary to construct the parking lot but all construction activity will remain off the steeper slope leading down to the wetlands and when the foliage is in bloom the wetlands are not visible.
- E. **Wildlife habitats.** This is a small wetlands area between Hopmeadow Street and the bike trail of approximately 0.1 acres. With high traffic on the road and bike path, the wildlife habitat is very limited.

6. **Describe the long term or permanent impact of the activity(ies) on environmental aspects, such as surface and groundwater quality, storm water runoff, visual impact(s), or wildlife habitats on:**

- A. **Wetlands and/or watercourses.** With the proposed drainage system we will reduce the amount of runoff into the wetlands and drainage ditch, the water from the existing parking lot sheet flows across the parking lot onto the surface and runs down into the wetlands, with the proposed drainage system and stone aprons the water will be sent down into the soil or across the stone to be cleaned before going downhill into the existing wetlands and drainage ditch.
- B. **Abutting riparian properties and/or wetlands and/or watercourse.** The abutting wetlands and drainage ditch to the south will not be negatively affected as we are proposing to have zero increase in storm water runoff and the sheet flow will be treated by the stone filter strip before going overland to the wetlands.

7. **Identify sedimentation and erosion control measures to be used.** Use silt sacks and filter fabric fence at the downhill side of all construction to protect the wetlands. The silt sacks are to be inspected and cleaned as needed. The silt fence is to be keyed into the existing soil, maintained and inspected after any rain events.

8. **Identify alternatives to the proposed activity that were considered, including alternative sites and why this one was chosen.** The site is an existing restaurant and liquor store which the

applicant is trying to improve. There is not another location to construct the parking lot on the site.

**9. Estimate cost of work and time for completion.**

The work will take three to four months to stabilize the exterior work and install the utilities and parking lot. Cost is estimated at \$90,000.

**10. Attach drainage calculates and other reports as indicated to substantiate the statements made above.**